

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

CASEY WAYNE BURRIS,

Petitioner,

v.

STATE OF OKLAHOMA,

Respondent.

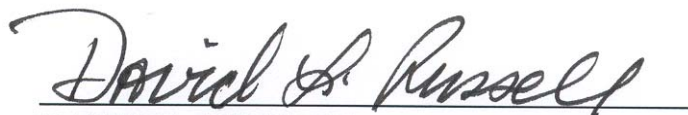
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CIV-20-004-R

ORDER

Petitioner filed this action seeking a writ of mandamus. (Doc.No. 1). Pursuant to 28 U.S.C. § 636(b)(1)(B), the matter was referred to United States Magistrate Judge Gary M. Purcell for preliminary review. On January 28, 2020, Judge Purcell issued a Report and Recommendation wherein he recommended that the Application for Leave to Proceed *In Forma Pauperis*, Doc.No. 5, be denied and that the action be dismissed if Petitioner did not pay the filing fee by February 18, 2020. The record reflects that Petitioner has not filed a timely objection to the Report and Recommendation nor sought an extension of time in which to object, nor has the filing fee been submitted to the Court. Accordingly, the Court hereby ADOPTS the Report and Recommendation, denies Petitioner's Application for Leave to Proceed *In Forma Pauperis*, and DISMISSES the petition WITHOUT PREJUDICE.

IT IS SO ORDERED this 21st day of February 2020.



DAVID L. RUSSELL

UNITED STATES DISTRICT JUDGE